



# Deradicalization and Integration Legal & Policy Framework

Bosnia and Herzegovina/Country Report WP4

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## Executive Summary

This report gives a conceptual account on how existing policies and laws address radicalisation, to pinpoint their most critical aspects and best practices, and finally to develop evidence-based policy and legal guidelines in order to contribute to combating radicalism and extremism in Bosnia and Herzegovina.

It will discuss different legalizations and regulations that deal with issues of radicalization of terrorism, radicalism and extremism, such as Strategy of Bosnia and Herzegovina for Preventing and Combating Terrorism 2015-2020” (See Appendix 1) and the “Action Plan for the Implementation of the Strategy of Bosnia and Herzegovina for Preventing and Combating Terrorism in Bosnia and Herzegovina” (See Appendix 1). This report will also discuss controversies about the Constitution of Bosnia and Herzegovina that has derived from Dayton Peace Agreement in 1995 and its support of ethnic divisions in the country and alienation of minorities in Bosnia and Herzegovina.

This report will cover five main topics. First one is the *Socio-economic, Political and Cultural Context of Bosnia and Herzegovina* that contains information of radicalization history in Bosnia and Herzegovina, history of terrorism and political violence, brief description of the society and other information that fall under the category of Socio-economic, Political and Cultural Context of Bosnia and Herzegovina. The second topic of this report will cover is the *Constitutional Organization of the State and Constitutional Principles on D.Rad Field of Analysis* where we will discuss overarching constitutional principles, values/principles/rights related to D.Rad policy fields, state composition of Bosnia and Herzegovina and other information related to constitutional organization and constitutional principles such as secularism, religious freedoms, self-determination and sub-national identities. Further on the report discusses the *Relevant Legislative Framework in the Field of Radicalization* where we will talk about national framework legislation on radicalization and de-radicalization, national legislation framework on religious freedom and freedom of speech, the sub-national legislation and we will also present one paradigmatic case-law concerning radicalization. The fourth part of this report *The Relevant Policy and Institutional Framework in the Field of Radicalization* discusses national policy framework religious freedoms and religious entities/groups, national policy framework on radicalization and de-radicalization, sub-national policies and institutions dealing with radicalization. The last part of the report presents *Two in Depth Case Studies* that will map out two counter radicalization measures through social integration. We will write about their justification and their socio-economic, political and geographical context. We will also discuss fundamental traits of the cases and lessons to be learned.

# 1. Introduction

Political history of Bosnia and Herzegovina with its ethnic and religious divisions fuelled by current political discourse and the rhetoric of ethno-nationalistic political elites makes Bosnia and Herzegovina a fertile ground for different forms of radicalism and extremism, such as religious extremism and right-wing radicalism embodied in different organisations, but also individuals

According to Azinović (2018) youth is the population that is most vulnerable, concerning the danger to be involved in extremist and radical activities (p.8). Pečković (2018) tells us that 4.5 % of young people in Bosnia and Herzegovina justify radicalism and terrorism under certain circumstances. These circumstances can be state occupation, misbehaviour aimed on certain group (religious, ethnic, national), when state institutions do not work for the greater good of the people (p 30-31). The anger of Bosnian citizens toward political establishment of Bosnia and Herzegovina we could see during the mass demonstrations that happened in several cities in Bosnia and Herzegovina when demonstrators have burned down part of the Bosnian presidency building and other institutions. Institutional corruption and economic decline in Bosnia and Herzegovina were motives for the citizens of Bosnia and Herzegovina to seek justice on the streets. At the beginning the protests were peaceful, but as they went on some of the citizens have started to throw stones at the police and burn state institutions (Džidić, 2014).

This report aims to give a conceptual account on how existing policies and laws address radicalisation, to pinpoint their most critical aspects and best practices, and finally to develop evidence-based policy and legal guidelines in Bosnia and Herzegovina. The laws, regulation and action plans concerning radicalism and extremism that we will discuss in this report are the Criminal Codes of Bosnia and Herzegovina, Criminal Code of Federation of Bosnia and Herzegovina, Criminal Code of Republic of Srpska and Criminal Code of Brčko District. Other than that we will discuss strategies and action plans for combating extremism on national and sub-national level. Strategies that we will discuss in this report are Strategy of Bosnia and Herzegovina for Combating Terrorism 2006-2010 and Strategy of Bosnia and Herzegovina for Combating Terrorism 2015-2020 and the action plans derived from the strategies such as Action plan for implementation of strategy of Bosnia and Herzegovina for Combating Terrorism 2015-2020 and Action Plan for Prevention and Combating Terrorism in Federation of Bosnia and Herzegovina 2020 — 2025 will also be discussed.

## 2. The Socio-Economic, Political and Cultural Context

Bosnia and Herzegovina's war from 1992-1995 has left several kinds of consequences for the people. Ethnic polarization caused by ethno-nationalistic political narrative, Bosnian Constitution, as a product of Dayton Peace agreement, (signed in Wright-Patterson Air Force Base near Dayton, Ohio, United States, in November 1995) aiming at stopping the war in Bosnia and Herzegovina which in its essence supports ethnic divisions in Bosnia and Herzegovina, political corruption, high unemployment (especially amongst young people) are just some of the consequences. Dayton Peace

Agreement has cemented ethnically clean territories which made it possible for ethno-nationalistic leaders to produce ethnic homogenisation in these territories and it made a fertile ground for discriminatory practices against minorities (some cases will be discussed in this report). All these consequences create feelings of injustice, poverty political and economic alienation. According to "Trading economics" Bosnia and Herzegovina has an unemployment rate of 33.4 % (Trading economics, 2021). Among young people unemployment rate is significantly higher. Unemployment rate among young people of Bosnia and Herzegovina in 2020 was 40.18 % (Statista, 2021).

According to Delegation of European Union in Bosnia and Herzegovina, 2.2 million people were displaced during the last war in Bosnia and Herzegovina. Among these 2.2 million, approximately 1 million has left the Country to seek refuge, mostly in the countries of Western Europe, where most of them live today too (Delegation of European Union to Bosnia and Herzegovina, [https://europa.ba/?page\\_id=640](https://europa.ba/?page_id=640)). Until this day it is presumed that around million people have returned home after the war (Čukur, Magnusson, Molander & Skotte, 2018). Main reasons why others have not returned, we can find in so many destroyed homes, war-time property laws, devastated economy and other who do not wish to live where they are a minority in ethnic sense (International Crisis Group, 1997). In the Annex 7 of the Dayton Peace Agreement which discusses the status of refugees and displaced persons in its article 1 it said that all the refugees have the right to freely and safely return to their pre-war homes and that the refugees have the right to reclaim their pre-war property (Pretitore, 2003). Number of problems had to be addressed concerning the reclaiming the war time property, such as claiming that refugees that claimed their property have left it on a voluntary basis and not by force. At this stage it is important to mention that in most parts of Republic of Srpska (Entity in Bosnia and Herzegovina with Serb majority) different war crimes have been committed, which have been prosecuted at the International Criminal Tribunal for Yugoslavia (ICTY) in Hague (Netherlands), so in the psychological sense, it is very hard for people to return to those places. Several Serb high ranking political and military officials have been prosecuted and convicted by ICTY, such as: Radovan Karadžić (President of Republic of Srpska during the war), Ratko Mladić (General of Republic of Srpska army), Ljubiša Beara (Security officer in the army of Republic of Srpska), all convicted for war crimes and genocide in Srebrenica. It is important to mention that above mentioned officials are just some of the convictions by ICTY.

Although most of the houses have been renewed, the authorities of Republic of Srpska (one of the Bosnian entities with Serb majority) have focused on ethnic homogenization of Serbs in this Bosnian entity and have produced uncomfortable political milieu for non-Serbs. One of the events that is supported by the political elites in Republic of Srpska in the ideological sense is the annual gather of Chetnics in Višegrad (Town in eastern Bosnia) (Gadžo, 2019). Chetnics are a Serbian army organized in the WWII with Serbian ethno-nationalistic ideology, whose leader Draža Mihajlović was prosecuted for war crimes and sentenced to death in 1946. Chetnics in Višegrad gather to honour him and his ideology. Since several war atrocities have happened in Višegrad during the last war in Bosnia and Herzegovina, this event wakes war trauma and fear among Bosniak returnees in Višegrad and all over Republic of Srpska. This clearly represents (a well-known?) right-wing ethno-nationalistic radical discourse in Bosnia and Herzegovina, based on ethno-

nationalistic mythology of national leaders from the past that was main ideological constructed during the war and is alive even today.

On the other side, terrorist threats represented by Islamist ideologies embodied in radical Salafi movement, whose members live in rural isolated communities in Bosnia and Herzegovina, such as Gornja Maoča, Ošve and other places. Around 300 members of Salafi movement has gone to Syria and other places to join ISIS or other radical Islamist organizations (Azinović & Jusić, 2015). This movement support the radical Islamist ideology of anti-secularism and anti-Westernism, just as other radical Islamism organizations in the world. The historical roots of Salafi movement can be traced in engaging foreign Islamic (Mujahedeen) fighters in Bosnia and Herzegovina during the last war, who came to Bosnia to defend their Muslim brothers. The number of Mujahedeen in Bosnia and Herzegovina is estimated to be between two and three thousand. They fought alongside of Bosnian Muslim and initially were not under the command of Bosnian army. Later they were integrated into Bosnian army as the 3<sup>rd</sup> Corps of Army of Bosnia and Herzegovina (Azinović, 2015). Most of them have left the Country after the war, but some have remained. They have brought with them a radical perception of Islam that today is embodied in the Salafi movement.

As already mentioned, Bosnia and Herzegovina is a deeply ethnically divided country as a consequence of war and ethno-nationalistic political discourses. The three main political parties in Bosnia and Herzegovina are: Party of Democratic Action (SDA), Croatian Democratic Party (HDZ) and The Alliance of Independent Social Democrats (SNSD). All three of these political organizations are ethno-nationalistic political parties promoting the ideology of “otherness” and claiming that their ethnicity was victim during the last war and at same time presenting the “other” as an enemy. It is not rare that leaders of these political parties discuss possibilities of a “new war in Bosnia and Herzegovina”<sup>1</sup>. Milorad Dodik, the president of The Alliance of Independent Social Democrats, Serb nationalistic political party, uses a separatist terminology, trying to present Bosnia and Herzegovina as a failed state and therefore Republic of Srpska should separate from Bosnia and Herzegovina and Serbs should have their own state<sup>2</sup>.

In a dominant political discourse in current Bosnia and Herzegovina peoples that are in the situation of being an ethnic minority are discriminated in many ways. Here I would name just one example. By the Constitution of Bosnia and Herzegovina only members of three constitutive people can be members of Bosnian presidency (Bosniaks, Serbs or Croats). Any kind of ethnic minority cannot be elected to presidency. There are people who have gone to European Human Rights Court with this, but the Court decisions have not been implemented to this day. One of them is the case of Sejdić and Finci who are of Roma and Jewish nationality. In 2009 European Human Rights Court has convicted Bosnia and Herzegovina for discriminatory relationship to Roma and Jews in the context of their right to be elected

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<sup>1</sup> *If there is a new war in Bosnia and Herzegovina, I would stand in front of my people. I'd rather die right now, then let the ones that have committed genocide rule parts of this country*” (Bakir Izetbegović, O Chanel, 2021)

<sup>2</sup> *“We will do this and will not be stopped by the US or anyone else, because we believe that the [1995] Dayton Agreement [ending the 1992-5 war in Bosnia] has been broken, primarily by the intervention of an international factor”* (Kovačević, 2020)



as members of Bosnian presidency. This Court decision has not been implemented until today in Bosnia and Herzegovina.

The case “Sejdić and Finci vs. Bosnia and Herzegovina” was the first case in Bosnia and Herzegovina that was confronting the discriminatory practices towards minorities in Bosnia and Herzegovina. The Constitution of Bosnia and Herzegovina in its Annex 4 distinguishes between constituent peoples (Bosnian citizens who declare themselves as Bosniaks, Serbs or Croats) and the others (Bosnian citizens who declare themselves as ethnic minorities or do not see themselves as members of any particular ethnicity). The Annex 4 of the Constitution of Bosnia and Herzegovina states as follows: “*House of Peoples. The House of Peoples shall comprise 15 delegates, two-thirds from the Federation (including five Croats and five Bosniacs) and one-third from the Republika Srpska (five Serbs)*” (Constitution of Bosnia and Herzegovina, Annex 4). It is clear only member of constitutive peoples can be elected in the House of peoples which is regarded as discriminatory. Similar case is with the Bosnian presidency which has three members who are representatives of constitutive peoples. In the Annex V of the Constitution of Bosnia and Herzegovina it is stated that only members of constitutive peoples can be elected in the presidency.

Sejdić and Finci argued that their ineligibility to be elected in the House of Representatives on the grounds of their ethnic background and have considered it racial discrimination. The matter in question was taken to European Court for Human Rights which ruled in favour of applicants (CASE OF SEJDIĆ AND FINCI v. BOSNIA AND HERZEGOVINA, Applications nos. 27996/06 and 34836/06)

### 3. The Constitutional Organization of the State and Constitutional Principles on D.Rad field of analysis

If one wants to discuss constitutional organization of a country, especially a post conflict country, it is important to take in consideration the context in which the constitution was arranged. As already mentioned, Bosnia and Herzegovina is a country where there was a war between three sides (three ethnicities) and where the only genocide in post WWII Europe has happened.

The Constitution of Bosnia and Herzegovina derived from the Dayton Peace Agreement that stopped the war in Bosnia and Herzegovina. It was signed between presidents of Bosnia and Herzegovina (Alija Izetbegović), Serbia (Slobodan Milošević) and Croatia (Franjo Tuđman) with the presence of the members of International Community representatives embodied in the president of U.S.A. at that time, Bill Clinton on the 21th of November 1995. Annex 4 of DPA is concerned with the Constitution of Bosnia and Herzegovina (OHR, 2009).

According to the Constitution of Bosnia and Herzegovina the country is made up of two entities — Federation of Bosnia and Herzegovina (with Bosniak and Croat majority), Republic of Srpska (with Serb majority) and Brčko District (municipality in North-East Bosnia and Herzegovina). The lines between the entities are in most cases the front lines that were kept from the war (Vehabović, 2006). Other than that Federation of Bosnia and Herzegovina is divided with ten cantons of which 3 of the Cantons are with Croat majority, 5 with Bosniak majority and 2 of the 10 Cantons are ethnically mixed

between Bosniaks and Croats. The complex constitution of Bosnia and Herzegovina weakens the state level of authority, which is crucial for combating any form of radicalism and extremism.

Dayton Peace Agreement and later the Constitution of Bosnia and Herzegovina have cemented the ethnic composition and division of Bosnia and Herzegovina until this day. The only territory that should have served as an example of multi-ethnicity in Bosnia and Herzegovina is the town in North-East Bosnia and Herzegovina on the border to Croatia - Brčko DistrictBiH.

Ethnically homogeneous territories in Bosnia and Herzegovina are a playground for nationalistic political elites, who act as sovereign rulers of their territories. Creating the climate of "otherness", identity politics, presenting the other as an enemy and promoting ethnic exclusivity and exceptionalism, surely contributes to fear of the "others" which under circumstances can lead to different forms of radical behaviour.

Constitution of Bosnia and Herzegovina recognizes three constitutive peoples of Bosnia and Herzegovina — Bosniaks, Croats and Serbs and Others, which sets up Bosnia and Herzegovina as consociational democracy (Democracy concept specific for ethnically and religiously heterogeneous states) which undermines individual rights of citizens, promotes ethnic rights and gives political power to nationalistic leaders. This principle Mujkić (2010) called "*principle that ethnic homogeneity is a guarantor for stability of political community*" (p.8). These principles also create different discriminatory practices, especially in the treatment of ethnic minorities. This treatment of ethnic minorities can work as a push factor for radical behaviour. One of the examples for mistreatment are the events of building an Orthodox Church in the backyard of Bosniak woman, Fata Orlović from Konjević Polje, which was removed after 20 years of judicial fight. Fata Orlović and her lawyers went to European Court of Human Rights with this case and the Court ruled in her favour, but the decision of the Court was not implemented by the authorities of Republic of Srpska until beginning of June this year when the Church has been finally removed from Fata Orlović backyard (N1, 2021).

In the recent months Bosnia and Herzegovina has witnessed the straightening of separatist claims from Serb political elites, especially from the leader of their strongest political party (SNSD), Milorad Dodik. His effort to present Bosnia and Herzegovina as a failed state has grown stronger. In one of his statements, he says: "*This is the only option (separating of Republic of Srpska from Bosnia and Herzegovina) and it will certainly be realised in some coming period*" (N1, 2021). Claims and practice like this would certainly be a lot harder to realize if there was no ethnic composition of Bosnia and Herzegovina. The Constitution has given powers to the entities then to the state and that is what makes claims like this easier. Ethnically clean territory and a separate entity make it possible for ethno-nationalistic leader to promote such politics. Still, the fact that there is a small number of Bosniaks and Croats living in Republic of Srpska and that the Constitution does not recognize the right to self-determination of entities, Dodik cannot fulfil his idea at this point in time.

## 4. The relevant legislative framework in the field of (de-)radicalisation

### **The national framework legislation on religious freedom and religious entities/groups**

The Constitution of Bosnia and Herzegovina guarantees religious freedom for all citizens of Bosnia and Herzegovina. At this point it is important to mention that in Bosnia and Herzegovina there is a strong correlation between ethnicity and religion. Bosniaks are predominantly Muslims, Serbs are Orthodox, and Croats are Roman Catholic.

Annex IV of the Dayton Peace Agreement that, as already mentioned serves as basis for the Constitution of Bosnia and Herzegovina, provides freedom of thought, conscience and religion (Dayton Peace Agreement, 1995). Still, it appears that the laws are not fully implemented. Bosnia and Herzegovina's "Human Rights Report" (2020, p.9) in its part about freedom of speech states the following: "*The country's laws provide for a high level of freedom of expression, but the irregular and, in some instances, incorrect implementation and application of the law seriously undermined press freedoms*".

The same report also recognizes the pressure of officials on journalists, which directly undermines the freedom of the press. "*The practice of pressuring journalists to censor their reporting continued during the year as well. Reaction to investigative stories focusing on the corruption of high-level judicial officials continued generating pressure on journalists. In addition, journalists who worked on stories exposing procurement irregularities during the pandemic were exposed to undue pressure*" (Human Rights Report 2020, p.10)

The Law on Religion in Bosnia and Herzegovina provides freedom of religion and grants a legal status to any religion that has over 300 members. If religious community is not registered it cannot "*do charity work, raise funds, and construct and occupy places of worship*" (U.S. Department of State, 2021). Bosnia and Herzegovina is a secular state, and the Article 14 of the Law on Religion declares: "*the State may not accord the status of established Church to any religious community, nor it has the right to interfere in the affairs and internal organization of Churches and religious communities*" (Law on Religion, 2004). Still, the Article 15 of the same Law opens up space for the political elites on some level to make different agreements with religious institutions: "*matters of common interest for Bosnia and Herzegovina or some or more Churches and religious communities can be governed by an agreement made between the BiH Presidency, the Council of Ministers, the governments of entities and Churches or religious communities*".

Concerning the freedom of association in Bosnia and Herzegovina the Constitution of Bosnia and Herzegovina is clear. In its Article 2 it clearly states that the citizens of Bosnia and Herzegovina have the right of peaceful assembly and freedom of

association with others. Law of Association and Foundations of Bosnia and Herzegovina, Law of Association and Foundations of Federation of Bosnia and Herzegovina and of Republic of Srpska are all in line with the Constitution and regulate the foundation, registration, internal organization and cessation of an association and foundation that are to be registered at the level of Bosnia and Herzegovina or at the entity level.

## **The national framework legislation on radicalization and de-radicalization**

Bosnia and Herzegovina have adopted in 2015 a “Strategy of Bosnia and Herzegovina for Preventing and Combating Terrorism 2015-2020” and the “Action Plan for the Implementation of the Strategy of Bosnia and Herzegovina for Preventing and Combating Terrorism” (Council of Ministers, 2015). The Strategy is based on prevention, protection, investigation and criminal prosecution and response/reaction to terrorist attacks.

By adopting the Strategy Bosnia and Herzegovina has declared itself ready to strengthen national capacities for combating terrorism and is a continuation of the “Strategy of Bosnia and Herzegovina for Preventing and Combating Terrorism 2006-2010” (Council of Ministers, 2006) (See Appendix 1). In the introduction of 2006-2010 strategy, it is stated that: “*Threat posed by potential terrorist attacks is growing in B&H just as in all anti-terror coalition partner countries. The existing infrastructure (both legislative and institutional) for monitoring and suppressing this problem is insufficient*” (p.2)

The Strategy has been adopted in July 2015, the Action Plan in October 2016, and the Supervisory Body for following the implementation of the Strategy in the mid of 2017 (Sorguč, 2018). The same source says that most funds spent on the implementation of the strategy were foreign donations and the money was mostly spent on conferences and workshops. Official report on the implementation of Strategy has not yet been produced, nor has a new Strategy.

Since report on the implementation of “Strategy of Bosnia and Herzegovina for Preventing and Combating Terrorism 2015-2020” has not been written yet we are unable to know the effects it has eventually had on combating terrorism. Still, there were certain changes in Criminal Code of Bosnia and Herzegovina (See Appendix 1), concerning prosecuting offences related to terrorism.

In the Articles 201 and 202 of Criminal Code of Bosnia and Herzegovina, such acts including financing of terrorist activities are criminalized. These reforms were introduced at the state level, but also at the entity level and Brčko District BiH. “Therefore, the general provisions of the Criminal Code of B&H provide for the criminalisation of not only organised terrorist activities, but also incitement, accessory, accomplices and similar types of activities mentioned above, which can also be applied to other criminal offences” (Committee of Experts on Terrorism, 2014, p.3)

The Strategy does not involve producing intersectional cooperation between different institutions and sectors. It is also notable that Ministry of Security has not established almost any kind of cooperation with youth organizations or generally civil sector, concerning radicalization of young people. These kinds of activities have been implemented mostly by domestic or foreign CSOs with foreign donations.

## **The sub-national legislation**

As previously mentioned, Bosnia and Herzegovina is a complex state that under the national level has the levels of two entities (Federation of Bosnia and Herzegovina and Republic of Srpska) and Brčko District BiH as, a separate administrative unit. Criminal Codes of both entities (Federation of Bosnia and Herzegovina and Republic of Srpska) and Brčko District BiH, concerning terrorism are aligned with Criminal Code of Bosnia and Herzegovina. Each Criminal Code is applied according to the territory where the crime happened and all the Criminal Codes are aligned with Criminal Code of Bosnia and Herzegovina.

One of the recommendations for combating violent extremism made by Turčalo and Veljan (2018) says: *“Introduction of resilience development programs is necessary for high school students and young adults. One way to contribute to the development of resilience is by promoting student engagement at the community level such as volunteering and developing their awareness of their own positive contribution to society, and by encouraging students to think critically about taboo topics”* (p.23).

In this context the Government of Sarajevo Canton and its Ministry for Education, Science and Young People has adopted a law regulation about Evidencing the Unacceptable Behaviour and Protection of Students (Ministry for Education, Science and Young People, 2019). The aim of this legislation is to:

- Recognize risk factors that negatively influence their development and adjustment to the society
- Early recognition of unacceptable types of behaviour of students in elementary schools of Sarajevo Canton for prevention and protection from these kinds of behaviours
- Implementing measures by expert service in schools which are relevant for safety and social protection of students
- Timely and constant provision of educational support for students where risky behaviour, which negatively influence their development and adjustment to society was noted
- Gathering of statistical data with the aim of analysing and producing measures for preventing and protecting students in schools on Sarajevo Canton (Article 5, p.7)

Legislation like this can help identify children that are at risk and create programs in order to work with those children and potentially with their parents or caretakers, but also with school personnel in order to counter radicalization in early stages.

## **Paradigmatic case-law on radicalization**

The Courts in Bosnia and Herzegovina have based their activities mostly on terrorist acts, which involve Islamic terrorism. To this date the Courts of Bosnia and Herzegovina have convicted 5 people for different activities related to terrorism, all together for 39.5 years in prison (Azinović, 2018).

Still, the time has shown that other forms of radicalism are present in Bosnia and Herzegovina. The still open wounds from the war, ethno-nationalistic political narrative supported with different myths from the past, among other factors, contribute to expansion of ethno-nationalistic radicalism. Often, the ethno-nationalistic organizations use hatespeech in order to spread fear among other peoples and even organize different events in order to commemorate their leaders and spread their ideological narrative.

One of such events is the annual meetings of Chetnics (Serb radical ethno-nationalistic organization based on the ideology of Chetnics from the WWII), who paraded through Višegrad where several war crimes have happened during the past war.

This time Court of Bosnia and Herzegovina has raised charges against three members of this movement (DušanSladojević, RistoLečićiSlavkoAleksić) for inciting ethnic and religious hatred at Chetnic gathering in Visegrad in 2019 (See Appendix 1). All three defendants have pleaded not guilty (Rovčanin, 2021). The members of this movement have been singing Serb nationalistic songs, such as: "*There will bloody Drina again*", which in its text contains threats to non-Serbs that aggravated the local Bosniak returnee population.

There have been several indictments for inciting ethnic and religious hatred in Bosnia and Herzegovina, involving physical and verbal attacks, graffiti writings on religious objects or cemeteries, but this is the first time that a movement or officially registered organization is on trial (OSCE, 2016). If we look at this trial from that perspective, depending what the verdict will be, we can say that also their ideological concept is on trial and it might be banned from Bosnia and Herzegovina, or just its open presentation. The State through its Court could send a message to similar organizations that this kind of radical behaviour will not be tolerated.

The effect on Bosniak returnee population because of events, such as mentioned gathering of Chetnics is devastating, since it wakes up the war trauma and raises the fear that the same could happen again.

## 5. The Relevant Policy and Institutional Framework in the field of (de-)radicalisation

**The national policy framework on religious freedom and religious entities/groups; on freedom of speech or expression and political parties/associations/groups; on self-determination and sub-national identities**

The Constitution of Bosnia and Herzegovina declared religion to be “a vital national interest” of three constituent peoples in Bosnia and Herzegovina. It also guarantees freedom of thought and practice, prohibits religious discrimination, and allows registered religious organizations to operate freely. According to U.S. Government, Sunni Muslims constitute approximately 51 percent of the population; Serbian Orthodox Christians 31percent; Roman Catholics 15 percent; and others, including Protestants and Jews 3 percent. (U.S. Department of State, 2018)

Following these principles, the House of Representatives and the House of Peoples of Bosnia and Herzegovina have passed the “Law on freedom of Religion and Legal Position of Churches and Religious Communities in Bosnia and Herzegovina” in 2004(See Appendix 1).

The aim of this Law is to guarantee the right of citizens of Bosnia and Herzegovina and others to freedom of conscience and religion in line with international standards of human rights determined in international declarations and conventions.

In its Article 14 it clearly separates Church (religion) from State: “*Churches and religious communities are separate from the state and that means:1. The state may not accord the status of state religion nor that of state church or religious community to church or any religious community*”.

In Bosnia and Herzegovina ethnicity and religion are closely tied, so Bosniaks are mostly Muslims, Serbs are Orthodox, and Croats are mostly Catholic. Determining Bosniaks, Serbs and Croats (along with the “others”) to be constitutive peoples of Bosnia and Herzegovina, some critics would say that the Constitution of Bosnia and Herzegovina does not give much attention to individual human rights, but mostly, collective rights of constitutive peoples and that the Constitution, undermines rights of “Others” (Minorities-Jews, Roma and others). In the context of self-determination on the last census one could in the ethnic sense identify him/herself only as a member of one of the constitutive peoples or the “others”.

According to the U.S. Department of State the Law provides freedom of expression, but the implementation of the Law is irregular. “*The law prohibits expression that provokes racial, ethnic, or other forms of intolerance, including “hate speech,” but authorities did not enforce these restrictions*” (U.S. Department of State, 2018). It is not that rare that in Bosnia and Herzegovina, for example, journalists are verbally or physically attacked or even receive death threats (Committee to Protect Journalists, 2021).

## **The National Policy framework on Radicalization and De-Radicalisation**

As already mentioned, the Constitution of Bosnia and Herzegovina, although it in its preamble guarantees equal rights for everyone, it sets Bosniaks, Serbs and Croats as constitutive peoples of Bosnia and Herzegovina and by doing that sets the stage for collective rights in front of individual rights. Naming all the ethnic and religious communities as the “others” is not a principle that is in line with universal principles of Human Rights. The fact that the “others” cannot candidate and be elected to presidency or to the House of Representatives speaks for itself.

Education, as a tool for primary prevention of extremism and radicalism, is since the end of the war (92-95) under the influence of ethno-nationalistic political elites and serves as a tool for ethnic homogenisation through presenting the other as an enemy (Pečković, 2017).

“The most common and vivid example of segregation in Bosnian education is the so called “Two schools under one roof”. Students are taught in the same building but are divided according to their ethnicity and are taught according to different curriculum. Students also enter their schools through separate entrances and the schools have separate administrations” (p.23).

These kinds of policies have (had?) a longer-term devastating consequence for peace in Bosnia and Herzegovina since they maintain ethnic divisions and social distance, especially amongst children and young people.

What is also important to mention at this point is that education in Bosnia and Herzegovina is regulated on sub-national levels of Government (Entity level, Cantonal level and Brčko District level). There is no Ministry of Education on State level. Taking in consideration that Entities and Cantons are mostly mono-ethnic, we can presume that ethnically coloured education serves only for deepening ethnic distance among children and young people of Bosnia and Herzegovina.

Bosnia and Herzegovina has not developed a strategy for integrating returnees and their families from foreign war zones such as Syria and others. Around 260 Bosnian citizens are in detainee camps in Syria (100 men and 160 women and children) who at some point will be returned to Bosnia and Herzegovina and who, according to officials, pose a serious security threat to Bosnia and Herzegovina (AP, 2019). Ministry of Security of Bosnia and Herzegovina argues that the fact that Bosnian citizens and their families return to Bosnia and Herzegovina from Syria and Iraq makes combating terrorism and radicalism more complicated. This sector demands multi sectoral approach and cooperation so that returnees could be accepted back, rehabilitated, reintegrated and re-socialised into Bosnian society (Ministry of Security, 2021). Presumably these people are radicalized, and a special problem presents the radicalization of children and women. The question remains what strategy will be envisaged in order to include them again in normal life.

### **The sub-national policies**



The Government of Federation of Bosnia and Herzegovina has developed an Action Plan for Prevention and Combating Terrorism in Federation of Bosnia and Herzegovina 2020 — 2025 (Government of FB&H, 2020) (See Appendix 1).

*“The main aim of the Action Plan is to counter all forms of extremist and terrorist actions, respecting the values of democracy, rule of law, human rights and freedoms, making Bosnia and Herzegovina a space secure for life and work for all her citizens, as well as for others who live on Bosnian territory” (p.2).*

The Action Plan is divided in 4 sectors:

- Prevention,
- Mapping of risks and recourses,
- Investigation, criminal prosecution and penitentiary programs
- Social answer

Activities are also defined in the action plan. In the context of prevention of extremism and radicalism Action plan includes implementation of activities such as different research that would serve as a scientific basis for future actions, concerning extremism and radicalism. It has also recognized the importance of involving CSOs (especially once working with young people) in activities and projects concerned in combating extremism and radicalism. In the prevention part of the Action plan it was also mentioned that it is necessary to develop programs for combating radicalism and extremism on the internet, with special attention on children. The aim of such programs would be to enable children to recognize harmful content on the internet.

One part of the action plan is dedicated to developing operational protocols for acceptance of Bosnian citizens who return from foreign war zones. The plan is to involve 6 experts who would in 30 days develop a protocol. Institutions responsible to implement these protocols are different police institutions, Ministry of Security of Bosnia and Herzegovina, education sector, local authorities and other institutions.

First activities would be to determine the following:

1) Approximate number of women 2) age and sex of children 3) local communities where returnees would return 4) existing capacities and 5) needs of those communities necessary for successful rehabilitation and integration of returnees.

At this stage it is important to mention that there could not be found any implemented activities from the Action plan, so we can presume the implementation will go very slow. Not implementing this plan will go into favour of different extremist groups and prolong Bosnia and Herzegovina being a country in danger of radical activities of different organizations or individuals.

### **The institutional framework**

The State institutions in charge for combating extremism and radicalism are the Ministry of Security, State Investigation and Security Agency (SIPA), Intelligence-

Security Agency of Bosnia and Herzegovina other State, Entity and Cantonal police agencies.

Local communities are in most cases adjusting their activities concerning prevention and combating extremism to the state level. Working on the local level is mostly left to CSOs. One of the examples is “PRONI” Centre for Youth Development Brčko, which is an organization that works with young people in order to raise their capacities and provide them with the opportunity to be agents of change in their community and not just observers. Through the BHRI initiative PRONI Centre has opened several youth clubs in different Bosnian communities, which are places where young people can put their ideas into action. PRONI Centre has started in 2018 with the project “Youth Countering Violent Extremism”, that is focused to *“support and increase the participation of young women and men in activities, aimed at preventing violent extremism by prioritizing significant mechanisms for engagement at local and national levels, as set out in UN resolutions 2178 and 2250”*.

It is important to mention that the CSOs working with young people function with donations of foreign organizations, such as USAID, UNDP, different embassies and other. Authorities on national, entity or local level have invested very little funds supporting the CSOs combating extremism and radicalism. Action Plan for Prevention and Combating Terrorism in Federation of Bosnia and Herzegovina 2020 — 2025 includes involvement of CSO in combating extremism and radicalism, but still there is no follow up on the activities in that direction.

Police agencies in Bosnia and Herzegovina are organising different types of trainings to prevent and respond to terrorist activities. One of the examples is the Police of Brčko District whose members participated in 28 specialist trainings concerning combating terrorism and 72 trainings concerning prevention of terrorism and violent extremism (Pisić, 2021).

## 6. Two in depth Case Studies

The two in depth case studies that are presented below are based on mapping out of the regional and local counter-radicalization measures through social integration. The first case study that is presented in this report is the **Strengthening Resilience of the Youth against Radicalization in the Western Balkans**, regional initiative implemented by international NGO Humanity in Action.

The second case study that we will discuss in this report is the **Bosnia and Herzegovina Resilience Initiative (BHRI)**, implemented by International Organization for Migration. Both initiatives are meant to be a response to rising radicalism amongst young people in Bosnia and Herzegovina.

Humanity in action (See Appendix 3)

In 2018, Humanity in Action Bosnia and Herzegovina co-launched Strengthening Resilience of the Youth against Radicalization in the Western Balkans, an initiative aimed at strengthening capacities for resilience among youth in the Western Balkans, against radicalization and violent extremism. By raising awareness and promoting shared values as well as social cohesion through interfaith, inter-ethnic, and

intercultural dialogues, this program tackled the increasing rates of youth radicalization in the Western Balkans. By November 2019, the project implementation was completed in several phases, including the field research through focus groups of 8-10 young people in Albania, Bosnia and Herzegovina, Kosovo and Macedonia at high schools and universities, working with the identified active young people during the Summer School in Albania to build their capacities and raise their knowledge in order to better equip them to address the radicalization in their communities, among their friends and peers, creation of short promo videos (in each of the project country) advocating for young people, not to slide down the radicalization path, conducting interviews with 15-20 interviewees of interest, such as high school teachers, academics, religious leaders, opinion shapers relevant in a city/ community/ region-state, institutions dealing with youth, education and religious affairs and an online survey, all of which resulted in a research study publication containing country reports on the opinion of the youth in Bosnia and Herzegovina, North Macedonia, Albania and Kosovo.<sup>3</sup>

Working with young people, especially in ethnically divided countries, such as Bosnia and Herzegovina, can be crucial in combating any type of radicalism. As already mentioned, Bosnia and Herzegovina is a country with strong ethno-nationalistic political rhetoric, ethnically homogeneous territories, separated school curricula on Bosnian, Croat and Serb curricula, and all this means that young people in Bosnia and Herzegovina are under a strong ethno-nationalistic influence and are socialized into becoming good members of their ethnicity. All above mentioned is creating social (ethnic) distance among young people and project such as this one aim to bring young people together with aim to create resilience toward radical ideology and behaviour among them. It is also important to mention that this is a regional project which includes North Macedonia, Albania, Kosovo and Bosnia and Herzegovina. Bosnia and Herzegovina and Kosovo were war zones, as we know, and are still areas with unsolved ethnic issues. According to Azinović, 216 people from Bosnia and Herzegovina has participated in Syrian and Iraq war and 316 from Kosovo, which indicates the importance of regional activities such as this one.

Research implemented by Humanity in Action as part of this project, which contained focus groups in different cities in Bosnia and Herzegovina, has shown that the problem of radicalization is rarely discussed within the official institutional settings, *“among colleagues and within different educational platforms, especially among teachers and professionals who work with young adults. When discussed, it is often boiled down to reductionist statements on its existence and superficial identification of commonly known dangers and pitfalls for younger generations”* (Hasic, Mehmedović & Sijamija, 2020, p. 43). This indicates that experts agree that there is not enough institutional effort to provide teachers and other professional with adequate skills and knowledge to combat radicalism or prevent it in their schools or other relevant work places.

Humanity in Action BiH also launched the project Mitigating Online Radicalization and Hate-Speech in 2020 with partners from Slovakia and Lebanon. The project will also result in three studies containing opinions of youth from Bosnia and Herzegovina, Slovakia, and Lebanon (to be published in September 2021), which will be based on online survey created and disseminated by young leaders-participants of the project

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<sup>3</sup> <https://www.humanityinaction.org/bosnia-herzegovina-programs/strengthening-resilience-of-the-youth-against-radicalization-in-the-western-balkans/>

from BiH, Lebanon and Slovakia. The inputs of the projects also resulted in training young leaders to build their capacities so they can act as multipliers against radicalization in their communities (with the help of experts who deal with radicalization, violent extremism, extremist propaganda, disinformation & strategic communication). Another goal was to communicate about radicalization in communities via trained young leaders. Lastly, the young leaders were trained to provide recommendations by experts for local stakeholders who are dealing with the prevention of radicalization. The impact of the project will consist of the creation of a network of active young people, who will work as multipliers of the project's ideas and goals in their respective communities thus supporting the official policies addressing radicalization and violent extremism in particular project countries.<sup>4</sup>

BHRI (Bosnia & Herzegovina Resilience Initiative) (See Appendix 3)

During the first year of the program, the Bosnia and Herzegovina Initiative (BHRI), financially supported by USAID and implemented by the International Organization for Migration, selected specific regions across the country on which to focus, and by this stage in the program, geographic targeting is largely steady on BHRI's core regional areas: Una Sana Canton, Greater Banja Luka, Zenica, Prijedor, Birač, Brčko, Central Bosnia and Herzegovina. Geographic selection is also determined by specific community characteristics that may present environmental push factors, such as:

*Lack of opportunities for positive engagement with peers.* In many communities, few structured activities exist for youth outside of school. Existing clubs or groups appear to rely on self-selection for membership (e.g. mountaineering clubs, bicycling clubs), do not typically include youth who may be at risk of marginalization, or are politically aligned.

*Marginalization/stigmatization.* Towns associated with violent extremism or with exceptionally egregious war crimes are stigmatized, and youth within them may feel marginalized from society leading them to entrench themselves within extreme narratives rather than to seek alternatives.

BHRI supports local activist voices and efforts, bolstering their involvement with authorities, and developing national messaging campaigns and media content based upon issues raised at the local level. It also highlights to larger audiences the successes local activists and positive actors are already achieving, as the lack of positive role models and champions is a key challenge to fostering wider youth activism. While the program's focus has remained mostly at the local and municipal level, in the last year it has been supporting channels for larger, more balanced narratives, and stronger cross-country linkages between local partners. Given that extremism in BiH draws its potential to destabilize from the very political and social make-up of the country, and the Dayton system that maintains it, BHRI clearly cannot meaningfully address all of the root causes of communal divisions and political instability. BHRI will therefore judge success in terms of what positive, moderate

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<sup>4</sup> <https://www.humanityinaction.org/mitigating-online-radicalization-and-hate-speech/>

alternative actors, voices and networks it can build, and empower to continue their work beyond the end of the program. Related to that, up to now:

BHRI has invested in significant positive message development in grassroots digital and traditional media, and is following this up with a concerted attempt to project these into higher-level digital media and campaigns.

BHRI has built a network of community media platforms from across the country and trained some 260 young grassroots journalists. In all cases, BHRI has provided technical support to improve the targeting, reach, and analytics of the platforms, and the story development skills of the journalists.

The program has created or expanded numerous youth centres and clubs in some of the most isolated, marginalized or hard-line areas of the country. In addition to being run by trained youth workers, these spaces are now providing platforms for youth engagement with local municipalities on their topics of interest, as well as demonstrating collaboration with each other across ethnic lines. BHRI is now focused on networking these actors into broader coalitions across regions and revitalizing the formal Youth Councils that represent youth issues at the political level.

BHRI continues to invest in skills building among vulnerable and activist youth, including leadership, critical thinking, and empathy. Some of the most successful work in this area has been through dialogues with veterans from the 1990s war.

The program supported major online news portals to counter hate speech on their sites through a combination of targeted campaigning and technical support.

BHRI continues to support a wide array of cultural and social activities which have proven effective tools to mobilize youth and provide channels to move from discussions on contentious versions of a shared history to those of a shared vision of the future.

In the latter half of the program, BHRI has increasingly invested in diversified media programming that provides platforms for reflection on the future of the country from multiple standpoints and on shared values, on the assumption that positive, high-quality, humorous content would be welcomed by (politically affiliated) mainstream channels. These include Cantonal TV youth shows, YouTube satirical series and piloting podcast series on youth issues.

In the run-up to the 2020 local elections, BHRI supported local activists, including long-term partners, to mobilize youth to advocate for more issues-based campaigning, get out the youth vote, and raise topics of interest to youth, along with bolstering youth participation in political processes by training them on how to monitor local government performance. BHRI also supported political academies wherein members of all political parties in key areas receive training on how to develop political platforms and campaigns based on positive principles and accountability to constituents rather than divisive identity politics. Following the elections, this work has transitioned to monitoring adherence to campaign promises and preparing for local council elections to be held throughout the year.

Most important lessons learned from the program so far:

Media and campaigns:

Supporting incidental community initiatives led by youth is great for demonstrating appreciation of youth involvement with the community, creating a feedback loop that encourages further growth in skills, knowledge, changing attitudes and eventually behaviour. However, purposeful community or even nationwide campaigns, side-line the campaign narrative with the values, mission and vision that transcend engagement of youth to refurbishment of social fabrics that accept the other.

Appealing social media features such as documentaries and music spots have potential for high reach and engagement, hence it is important to understand direct and derived messages and discussion points that such narratives produce in the society. Reacting to a narrative is far from changing own attitudes. Most likely, people who positively engage with the content are those agreeing with the content. However, this does not mean that such features are not needed, as youth with similar attitudes (relevant change actors) can see that they are not alone.

Youth capacity building and networking:

Isolation of youth from their primary communities weakens the social contract with that group (good or bad). Hence, it is easier to discuss topics outside of their comfort zones in remote environment. However, with the return to their primary context it is crucial for them to have concrete assignment where they demonstrate dedication to new optics, immediately after return. Otherwise, natural trend is strengthening traditional points of views and "swimming down the stream".

Young people feel as if older are contextualising the past (war stories) within the present and future, as if that is the only way society can prevent past to reoccur. However, by doing this, the youth has become dissociated. Often, they will easily advocate positive accepting values and in the same time ferociously justify policies and practices that discriminate certain groups. In order to avoid the second, programmes try to avoid discussion on the second, thus superficially focusing on the most obvious. There is a need for strong authorities (role models) that can create a space for young people to discuss, justify and analyse conflicted policies in a space of trust.

## 7. Conclusion

Throughout this report we could read about different laws, policies and regulations that deal with issues of radicalisation and terrorism on different levels in Bosnia and Herzegovina.

Most controversial legal document in the context of radicalisation is the Constitution of Bosnia and Herzegovina itself. There are several reasons for this claim. First one is the fact that it legally divides the citizens of Bosnia and Herzegovina into constitutive peoples (Bosniaks, Croats and Serbs and the Others) and sets them out to be political factors and not the individual (Citizen). In its preamble it states as follows:

*„Bosniacs, Croats, and Serbs, as constituent peoples (along with others), and citizens of Bosnia and Herzegovina hereby determine that the Constitution of Bosnia and Herzegovina is as follows:” (Constitution of Bosnia and Herzegovina-Preamble, p 2)*

This gives the power of collective identity over individual rights, which is not the practice of EU countries.

The ethno-nationalistic political elites use this concept, with the help of ideological state apparatuses (education, media and other) to homogenize their “own people” and present the other as an enemy creating a tense political atmosphere. With defining constitutive peoples (Bosniaks, Croats and Serbs) it also creates a sense of alienation for the “others” (Roma, Jews and all the citizens of Bosnia and Herzegovina who do not fall as the three constitutive peoples).

One of the examples of discrimination and alienation of the “others” is the case of Dervo Sejdic and Jakov Finci, that we have discussed in this report (Case of Sejdić and Finci vs. Bosnia and Herzegovina). In December of 2009 the European Court of Human Rights has reached a verdict that Bosnia and Herzegovina should amend the Constitution and electoral legislative in order to eliminate this discriminatory practice, but this decision has not been implemented to this day (COE, 2019).

Few years after the terrorist attack in New York (2001) in the year 2003 the authorities in Bosnia and Herzegovina have made changes to the Criminal Code of Bosnia and Herzegovina in prevention and punishment for committing terrorist activities. In the new Criminal Code of Bosnia and Herzegovina, terrorism has been criminalized (Article 201) as well as financing of terrorist activities (Article 202). In the year 2020 State Investigation and Protection Agency has filed one report to State Prosecution concerning charges for terrorism (State Investigation and Protection Agency, 2021). As the effect of these changes around 40 people have been prosecuted for terrorist activities and they have been sentenced to 150 years in jail altogether (Vučetić, 2018). Criminal Code of Bosnia and Herzegovina was amended in 2014 as people from Bosnia and Herzegovina started participating in conflict in Syria and Iraq, joining terrorist groups, such as ISIS, in order to criminalize participation of Bosnian citizens in foreign wars (Ministry of Security of Bosnia and Herzegovina, 2016).

It is important to mention, at this point, that the legal regulations mentioned above serve as tool for combating terrorism and radicalism in Bosnia and Herzegovina, but still, they do not solve the core issues in the Bosnian society. The ethno-nationalistic narrative in Bosnia and Herzegovina is still strong and it sometimes creates a warlike atmosphere among the citizens. Ethnically divided territories in Bosnia and Herzegovina make it hard for people to meet (especially young people), three ethnically biased school curricula, which serve as an ideological apparatus for sustaining ethnic divisions (Pečković, 2017) are just a few examples of systematic ethnic divisions in Bosnia and Herzegovina that create feelings of alienation and insecurity.

As already mentioned, combating terrorism is happening on a global level, which means that leading powers have the greatest influence on different processes that concern fighting terrorism and radicalism. One case that can be regarded as violating individual freedoms happened in Sarajevo, right after the World Trade Centre attacks in New York in 2001. It is the case of the “Algerian Six” (Bensayah Belkacem, Hadj

Boudella, Lakhdar Boumediene, Sabir Mahfouz Lahmar, Mustafa Ait Idr and Mohammed Nechle). Few days after the attacks on WTC, six Bosnian citizens of Algerian background have been arrested by Bosnian authorities for terrorism and plotting new attacks in the United States. All six of them were acquitted by Bosnian courts, but on the day, they were acquitted, they were arrested by United States authorities and brought to Guantanamo (France 24, 2014). Nermina Pivić, a lawyer from Bosnia and Herzegovina, who defended one of the accused discovered that her client was illegally interrogated by the FBI agents who came to Bosnia and Herzegovina.

In 2008 they were prosecuted at the County Court in Washington DC and acquitted (N1 BiH, 2016). Still today, the question remains, if the Algerian Six were acquitted by Bosnian courts, how could they have been given up to United States authorities (Boumediene v. Bush, 553 U.S. (2008))

What we know is this event has caused anger and demonstrations in front of the jail where Algerian Six were kept, which could have led to other extremist and radical behaviour of certain parts of Bosnian Muslim community, especially Salafi community who already considered United States as their enemy and others who they believe are cooperating with United States.

Bosnia and Herzegovina Strategy for Countering Terrorism 2015-2020 has obviously expired and no report has been published at this point about the implementation of this strategy. Bosnia and Herzegovina is still a fertile ground for radical and extremist individuals or organizations, but it is notable that with the defeat of ISIS and similar organizations, Islamic terrorism is growing weaker. Still, there is no proof that it is gone, since Salafi communities are still in existence and all the push factors are still here. It is notable that the radical behaviour of ethno-nationalist maintained its power and influence through leading ethno-nationalistic political parties.

The European Union has made effort to help Bosnia and Herzegovina at its road to becoming a member of European Union. One of the efforts is the signed Stabilisation and Association Agreement between European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part in 2015 (Official Journal of the European Union, 2015). In its Article 82 it highlights the importance of cooperation between European Union and Bosnia and Herzegovina for combating money laundering and terrorism. Cooperation in the area of combating terrorism includes assistance in developing and implementing regulations and standards for combating terrorism. In the context of combating terrorism Bosnia and Herzegovina has agreed to cooperate with European Union in three main points. First one is the implementation of United Nations Security Council Resolution 1373 (2001). Further on Bosnia and Herzegovina agrees to exchange information on terrorist groups and their support networks and third point is the exchanging experiences in with regard to means and methods of combating terrorism (Article 85). At this stage it is important to mention that documents, such as "*Strategy of Bosnia and Herzegovina for Prevention and Combating Terrorism*" and other regulations, derived from the commitment of Bosnia and Herzegovina to implement stabilisation and association agreement signed with European Union. This was also confirmed during the interview with the Ministry for Security of Bosnia and Herzegovina" (Ministry of Security of Bosnia and Herzegovina, 2021)



## Annexes

### Annex I: Overview of The Legal Framework on Radicalization & De-Radicalization

Legislation title (original and English) and number	Date	Type of law (i.e. statute, regulation, rule, etc...)	Object/summary of legal issues related to radicalization	Link/PDF
Criminal Code of Bosnia and Herzegovina	27.06.2003	statue	Criminalized terrorist activities and financing of terrorism.	<a href="https://www.legislationline.org/documents/section/criminal-codes/country/40/Bosnia%20and%20Herzegovina/show">https://www.legislationline.org/documents/section/criminal-codes/country/40/Bosnia%20and%20Herzegovina/show</a>
Criminal Code of Federation of Bosnia and Herzegovina	28.07.2018	statue	Criminalized terrorist activities and financing of terrorism.	<a href="https://advokat-prnjavorac.com/legislation/fbih_criminal_code.pdf">https://advokat-prnjavorac.com/legislation/fbih_criminal_code.pdf</a>
Criminal Code of Republic of Srpska	01.07.2003	statue	Criminalized terrorist activities and financing of terrorism.	<a href="http://tuzilastvo.bih.gov.ba/files/docs/zakoni/RS_Criminal_Code_49_03,108_04_web.pdf">http://tuzilastvo.bih.gov.ba/files/docs/zakoni/RS_Criminal_Code_49_03,108_04_web.pdf</a>
Criminal Code of Brčko District	28.05.2003	statue	Criminalized terrorist activities and financing of terrorism.	<a href="http://www.tuzilastvobih.gov.ba/files/docs/zakoni/BD_Criminal_Code_10_03_45_04_eng_web.pdf">http://www.tuzilastvobih.gov.ba/files/docs/zakoni/BD_Criminal_Code_10_03_45_04_eng_web.pdf</a>

Law on Freedom of Religion and Legal position of Churches and Religious Communities in Bosnia and Herzegovina	22.01. 2004	statue	Gives each religion same rights and responsibilities.	<a href="https://mrv.ba/lat/clanci/vijesti/dokumentu/law-on-freedom-of-religion-and-legal-position-of-churches-and-religious-communities-in-bosnia-and-herzegovina/">https://mrv.ba/lat/clanci/vijesti/dokumentu/law-on-freedom-of-religion-and-legal-position-of-churches-and-religious-communities-in-bosnia-and-herzegovina/</a>
Strategy of Bosnia and Herzegovina for Combating Terrorism 2006-2010	12.2006	policy	The Strategy for Combating Terrorism 1 will take stock of the current situation in B&H and set priority tasks whose realization will contribute to establishing a comprehensive system for combating terrorism in B&H.	<a href="https://www.legislationline.org/download/id/1049/file/eac52236dde40b885cafb2006329.pdf">https://www.legislationline.org/download/id/1049/file/eac52236dde40b885cafb2006329.pdf</a>
Strategy of Bosnia and Herzegovina for Combating Terrorism 2015-2020	2015	policy	The Strategy of Bosnia and Herzegovina for Preventing and Combating Terrorism (for the period 2015 to 2020), is based, primarily, on the approach of the European Union in preventing and combating terrorism.	<a href="http://msb.gov.ba/PDF/STRATEGIJA_ZA_BORBU_PROTIV_TERORIZMA_ENG.pdf">http://msb.gov.ba/PDF/STRATEGIJA_ZA_BORBU_PROTIV_TERORIZMA_ENG.pdf</a>
Action plan for implementation of strategy of Bosnia and Herzegovina for Combating Terrorism 2015-2020				
Action Plan for Prevention and Combating Terrorism in Federation of Bosnia and Herzegovina 2020 – 2025	06.2020	policy	<i>The main aim of the Action Plan is to counter all forms of extremist and terrorist actions respecting the values of democracy, rule of law, human rights and freedoms-make Bosnia and Herzegovina a space secure for life and work for all her citizens, as well as others living on Bosnian territory</i>	<a href="http://www.fbihvlada.gov.ba/file/Akcioni%20plan(2).pdf">http://www.fbihvlada.gov.ba/file/Akcioni%20plan(2).pdf</a>

## NATIONAL CASE LAW

Case number	Date	Name of the court	Object/summary of legal issues related to radicalization	Link/PDF
Not known	05.01.2021	Court of Bosnia and Herzegovina	Inciting ethnic and religious hatred at a uniform-clad rally in the eastern Bosnian town of Visegrad in 2019.	<a href="http://www.tuzilastvobih.gov.ba/?id=4708&amp;jezik=e">http://www.tuzilastvobih.gov.ba/?id=4708&amp;jezik=e</a>

## OTHER RELEVANT ISSUES

	Constitutional provisions	Statutory law (statutes, rules, regulations etc.)	Important case law	Comments/issues relevant to radicalization
<b>Freedom of religion and belief</b>	Protecting the rights of all recognized religious communities	Law on Freedom of Religion and Legal Protection of Churches and Religious Communities in Bosnia and Herzegovina	Case of Hamidovic vs Bosnia and Herzegovina  <a href="https://www.legislationline.org/download/id/9308/file/ECHR_Case%20of%20Hamidovic%20v.%20BiH%202017.pdf">https://www.legislationline.org/download/id/9308/file/ECHR_Case%20of%20Hamidovic%20v.%20BiH%202017.pdf</a>	Providing equal status to all religious communities

<p><b>Minority rights</b></p>	<p>Regulating the rights and obligations of members of national minorities in Bosnia and Herzegovina (hereinafter BiH) and duties of the authorities in BiH to respect and protect, preserve and develop the ethnic, cultural, linguistic and religious identity of each member of national minorities in BiH, who is a citizen of BiH.</p>	<p>Law on Rights of National Minorities</p>	<p>Case of Sejdic and Finci vs. Bosnia and Herzegovina</p> <p><a href="https://www.coe.int/en/web/execution/-/sejdic-and-finci-after10-years-of-absence-of-progress-new-hopes-for-a-solution-for-the-2022-elections">https://www.coe.int/en/web/execution/-/sejdic-and-finci-after10-years-of-absence-of-progress-new-hopes-for-a-solution-for-the-2022-elections</a></p>	<p>Providing equal status to all minorities in Bosnia and Herzegovina</p>
<p><b>Freedom of expression</b></p>	<p>Providing all citizens with the right to express themselves which is one of the fundamental freedoms guaranteed by the UN Declaration of Human Rights</p>	<p>Law on Protection Against Defamation of the Federation of Bosnia and Herzegovina</p>	<p>Abedin Smajic vs. Bosnia and Herzegovina</p> <p><a href="https://globalfreedomofexpression.columbia.edu/cases/smajic-v-bosnia-herzegovina/">https://globalfreedomofexpression.columbia.edu/cases/smajic-v-bosnia-herzegovina/</a></p>	<p>Mr Smajić was found guilty in 2012 of inciting national, racial and religious hatred, discord or intolerance and given a one-year, suspended prison sentence.</p>
<p><b>Freedom of assembly</b></p>	<p>Providing citizens with the right to protest and assembly</p>	<p>Constitution of Bosnia and Herzegovina</p>	<p>Sladojevic, Aleksic and Lecic Vs. Bosnia and Herzegovina</p> <p><a href="https://detektor.ba/2020/12/10/podignuta-optuznica-protiv-trojice-pripadnika-ravnogorskog-">https://detektor.ba/2020/12/10/podignuta-optuznica-protiv-trojice-pripadnika-ravnogorskog-</a></p>	<p>Defendants have been accused by the Court of Bosnia and Herzegovina for inciting national, racial and religious hatred during the Chetnic gathering in Visegrad in 2019</p>

			<a href="#">pokreta/?lang=en</a>	
<b>Freedom of association/political parties etc.</b>				
<b>Hate speech/crime</b>	Preventing violence towards a person or a group based on religion, ethnicity, race, sexual orientation and other.	Criminal Code of Bosnia and Herzegovina	Hate Crimes and Bias-Motivated Incidents in Bosnia and Herzegovina: 2015 Monitoring Findings of the OSCE Mission to Bosnia and Herzegovina	Hate Crimes and Bias-Motivated Incidents in Bosnia and Herzegovina: 2015 Monitoring Findings of the OSCE Mission to Bosnia and Herzegovina  <a href="https://www.osce.org/files/f/documents/7/8/281906.pdf">https://www.osce.org/files/f/documents/7/8/281906.pdf</a>
<b>Church and state relations</b>	Providing secular principles in Bosnia and Herzegovina	Law on Freedom of Religion and Legal Protection of Churches and Religious Communities in Bosnia and Herzegovina	Obligatory-Mandatory religious education in primary schools	REPORT ON THE IMPLEMENTATION OF THE CONVENTION AGAINST THE DISCRIMINATION IN EDUCATION, 1960 (p, 23)  <a href="http://www.unesco.org/education/education-rights/media/resources/file/Bosnia_and_Herzegovina_Report_on_the_Implementation_of_the_Convention_Against_the_Discrimination_in_Education.pdf">http://www.unesco.org/education/education-rights/media/resources/file/Bosnia_and_Herzegovina_Report_on_the_Implementation_of_the_Convention_Against_the_Discrimination_in_Education.pdf</a>

## Annex II: List of Institutions Dealing with Radicalization & Counter-Radicalization

<b>Authority</b> (English and original name)	<b>Tier of government</b> (national, regional, local)	<b>Type of organization</b>	<b>Area of competence in the field of radicalization &amp; de-radicalization</b>	<b>Link</b>
Ministry of Security of Bosnia and Herzegovina (Ministarstvo sigurnosti Bosne i Hercegovine)	National	One of the ministries in the Council of Ministers of Bosnia and Herzegovina	The Ministry of Security of Bosnia and Herzegovina has competence over the protection of international borders, inner border crossings, traffic regulation at BiH border crossings, prevention and detection of perpetrators of criminal acts of terrorism, narcotics trafficking, falsifying domestic and foreign currency, trafficking in human beings and other criminal acts with international or inter-entity elements. It is also competent for international co-operation in all fields falling within the scope of competence of the Ministry.	<a href="http://vijeceministara.gov.ba/ministarstvo/sigurnosti/default.aspx?id=132&amp;languageTag=en-US">http://vijeceministara.gov.ba/ministarstvo/sigurnosti/default.aspx?id=132&amp;languageTag=en-US</a>
State Investigation and Protection Agency (Državna agencija za istrage i zaštitu)	National	Police and investigative structures of Bosnia and Herzegovina	Efficient prevention of terrorism, organised crime, serious financial crime and corruption, detection and investigation of war crimes and witness protection	<a href="http://www.sipa.gov.ba/en/about-us/general-info">http://www.sipa.gov.ba/en/about-us/general-info</a>
Ministry Council of Bosnia and Herzegovina (Vijec ministara Bosne i Hercegovine)	National	Political body	The Council of Ministers is a body of executive authority of Bosnia and Herzegovina, exercising its rights and carrying out its duties as governmental functions, according to the Constitution of BiH, laws and other regulations of Bosnia and Herzegovina.	<a href="http://www.vijeceministara.gov.ba/o_vijecu_ministara/default.aspx?id=1752&amp;languageTag=en-US">http://www.vijeceministara.gov.ba/o_vijecu_ministara/default.aspx?id=1752&amp;languageTag=en-US</a>

Federal Ministry of Internal Affairs (Federalnominstarstvounutrasnjihposlova)	Entity level	One of the ministries in Government of Federation of Bosnia and Herzegovina entity.	In charge of coordinating police structures in Federation of Bosnia and Herzegovina entity.	<a href="http://fbihvlada.gov.ba/bosanski/ministarstva/unutrasnji_poslovi.php">http://fbihvlada.gov.ba/bosanski/ministarstva/unutrasnji_poslovi.php</a>
Ministry of Interiors of Republic of Srpska (MinistarstvounutrasnjihposlovaRepublikeSrpske)	Entity level	One of the ministries in Government of Republic of Srpska entity.	In charge of coordinating police structures in Republic of Srpska.	<a href="https://mup.vladars.net/en/index.php">https://mup.vladars.net/en/index.php</a>
Police of Brcko District (PolicijaBrckodistrikt a BiH)	Local level	Police at the level of Brcko District. Part of police structures of Bosnia and Herzegovina.	Prevention, detection and investigation of terrorist offenses and other criminal offenses, security - interesting events and phenomena related to terrorism, extremism and violent crime based on religious or national extremism, hooliganism or other motives, achieving the highest standard of human rights and basic freedoms.	<a href="https://policijabdbih.gov.ba/ba/organizacije-jedinice-policije/jsten.html">https://policijabdbih.gov.ba/ba/organizacije-jedinice-policije/jsten.html</a>
Intelligence - Security Agency of Bosnia and Herzegovina (Obavještajno-sigurnosnaagencija Bosne i Hercegovine - SIPA)	National	Part of police structures of Bosnia and Herzegovina at the national level.	The Crime-Investigative Department of SIPA is in charge of organized crime, terrorism, human trafficking, financial crime and corruption, illicit drug trafficking, illicit arms trafficking, and other criminal offenses within the jurisdiction of the Court of BiH and the Prosecutor's Office of BiH.	<a href="http://www.sipa.gov.ba/en">http://www.sipa.gov.ba/en</a>

## Annex III: Best Practices/Interventions/Programmes

### National level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
1	Parliamentary Assembly of Bosnia and Herzegovina	Combating radicalism and terrorism with adjustments to the Criminal Code of Bosnia and Herzegovina	<a href="http://www.tuzilastvobih.gov.ba/?opcija=sadržaj&amp;kat=4&amp;id=40&amp;jezik=e">http://www.tuzilastvobih.gov.ba/?opcija=sadržaj&amp;kat=4&amp;id=40&amp;jezik=e</a>	Decreased number of terrorist attacks in Bosnia and Herzegovina  <a href="#">GTD Search Results (umd.edu)</a>
2	Interreligious council of Bosnia and Herzegovina	Establishing interreligious communication and cooperation in Bosnia and Herzegovina	<a href="https://mrv.ba/o-nama-2/">https://mrv.ba/o-nama-2/</a>	Implementation of different projects aimed at peace building in Bosnia and Herzegovina and sending anti-radicalism messages.  <a href="https://mrv.ba/wp-content/uploads/2020/06/irc_bih_4X0.pdf">https://mrv.ba/wp-content/uploads/2020/06/irc_bih_4X0.pdf</a>

### Sub-national/Regional level



	<b>Institution (s)</b>	<b>Aim</b>	<b>Source</b>	<b>Evidence of effectiveness / literature</b>
1	Government of Federation of Bosnia and Herzegovina	Action plan for combating all forms of extremist and terrorist action considering values of democracy, the rule of law and human rights.	<a href="http://www.fbihvlada.gov.ba/file/Akcioni%20plan(2).pdf">http://www.fbihvlada.gov.ba/file/Akcioni%20plan(2).pdf</a>	Decreased number of terrorist attacks in Federation of Bosnia and Herzegovina  <a href="#">GTD Search Results (umd.edu)</a>

### Local level

	<b>Institution(s)</b>	<b>Aim</b>	<b>Source</b>	<b>Evidence of effectiveness / literature</b>
1	Humanity in Action	Strengthening capacities for resilience among youth in the Western Balkans against radicalization and	<a href="https://www.humanityinaction.org/bosnia-herzegovina-programs/strengthening-resilience-of-the-youth-against-radicalization-in-the-western-balkans/">https://www.humanityinaction.org/bosnia-herzegovina-programs/strengthening-resilience-of-the-youth-against-radicalization-in-the-western-balkans/</a>	Reports from the focus groups of 8-10 young people in Albania, Bosnia and Herzegovina, Kosovo and Macedonia at high schools

		violent extremism		and universities.
2	International Organization for Migration (BHRI Program)	BHRI supports local activist voices and efforts, bolstering their involvement with authorities, and developing national messaging campaigns and media content based upon issues raised at the local level.	<a href="https://bih.iom.int/">https://bih.iom.int/</a>	<ul style="list-style-type: none"> <li>• Youth workers educated to respond to the needs of young people</li> <li>• Trained some 260 young grassroots journalists</li> <li>• Supported major online news portals to counter hate speech on their sites through a combination of targeted campaigning and technical support.</li> </ul>

## **Annex IV: Policy Recommendations**

- Implementing educational reforms that would deal with the issue such as radicalism and extremism with the aim to prevent such phenomena at a young age.
- Working with young people on peace building issues
- Economic reforms with the aim of decreasing poverty in Bosnia and Herzegovina.
- Combating organized crime and corruption in Bosnia and Herzegovina.

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